

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

PAUL EDWARD DURAN,

Plaintiff,

v.

LONGORIA, CASE, E. PARKS, M.
GAMBOA, W. SINKOVICH,

Defendants.

Case No. 1:20-cv-0289-HBK (PC)

ORDER DENYING PLAINTIFF’S MOTION
OF ADDENDUM

(Doc. No. 26)

Plaintiff, Paul Duran, is a state prisoner proceeding pro se and *in forma pauperis* in this action filed under 42 U.S.C. § 1983. Pending before the Court is Plaintiff’s motion to file an addendum to his third amended complaint. (Doc. No. 26). After a plaintiff files a complaint he may not later “add facts, arguments, or evidence to his complaint[.]” *Thomas v. Green*, 2012 WL 4672366, at *1 (E.D. Cal. Oct. 3, 2012) (citing L.R. 220). The “complaint must be complete within itself.” *Id.* (citing L.R. 220). Plaintiff filed his third amended complaint on March 6, 2023, and afterwards, on March 17, 2023, he filed the instant motion. (Doc. Nos. 25, 26). Plaintiff cannot add facts, arguments, or evidence to his third amended complaint after it has been filed. The third amended complaint must stand on itself. Notably, Plaintiff has been advised on two prior occasions that his amended complaints must be free-standing and complete. (Doc. Nos. 6 at 7-8, 17 at 6); see also *Hal Roach Studios, Inc. v. Richard Feiner & Co., Inc.*, 896 F.2d 1542, 1546 (9th Cir. 1989). Thus, Plaintiff’s motion to file an addendum to his third amended

1 complaint is procedurally improper.

2 Accordingly, it is **ORDERED**:

3 Plaintiff's motion to file an addendum (Doc. No. 26) is DENIED.

4
5 Dated: March 21, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE